

From: [John J. McNally](#)
To: [Durdin, Brian](#)
Cc: [Maher, Jim](#); [Cosgrove, Pamela](#)
Subject: RE: Montco Research Products - Janice Drive, Hollister , FL - aerial photo/list of chemical product materials/location and status of work
Date: Friday, August 16, 2019 5:16:35 PM

Brian/all - I am responding to your message below expressing your concern about work performed and status of implementation of actions to address and remove the chemical product materials and wastes from the site. As you know, I have remained in communication with you as efforts have been made with Mr. Sunoo to address the site as we have discussed and the recommendations you had shared following your site visit with Mr. Sunoo in early July. I have discussed all of the site information with Mr. Sunoo and coordinated efforts by him, along with several individuals who previously operated the facility and are familiar with the products and materials at the facility.

We do not have waste disposal information yet, but we have been to the site several time to address the rainwater inspection and pH measurements for characterization in a manner consistent with historical activities. No discharges has been identified and the rainwater was carefully released following inspection and characterization as we have discussed. I have also been in contact with both waste disposal contractors and entities that recycle/reuse product as possible. I have discussed this information with Mr. Sunoo and others working with him so we can organize and cover/relocate drums into a covered building as the work continues. I am awaiting some additional update information to further clarify and arrange for the disposal of the waste at the site and any containers considered to be in a susceptible condition. A summary of status of work efforts that have been taken and the plan of action is provided below.

Status of Work and Plan of Action:

-Clarify the contents of the drums in the various areas at the site -----Mr. Sunoo has visited the facility several time to further clarify the containers and products at eh facility in conjunction with the information and summary that was performed by a consulting firm to create and inventory and location plan.

-Evaluate the water contained within the berm in the caustic soda location. In accordance with our conversations, pH testing of the water has been performed to determine acceptability for discharge. Mr. Sunoo performed further inspection and pH measurements to confirm the rainwater prior to release as discussed.

-Evaluate the drums that are expanded to determine the contents and requirements for proper disposal -- inspection has been performed during site visit with former employee to clarify.

-Test the pH of the water contained within the containment berms at the facility and the contents in the containers within the berm for characterization --- this has been further clarified during recent site visits with former employees to confirm the condition of the rainwater and the containers/products within the containment area

.

-Consider options for return/transfer of the drums of chemicals present at the site for proper disposition - - efforts have been made to contact companies for acceptance of chemicals or disposal. I have spoken with several waste contractor companies concerning pickup of the containers of highest level of concern. We have also contacted individuals that receive products that can be considered for recycling or reuse. Mr. Sunoo and I are addressing based on the information collected recently.

-Contact disposal company that has performed work at the facility and is familiar with the materials and wastes at the facility --efforts have been made and are in progress.

-Prepare action plan for transmittal to FDEP within the next week to list each of these actions and the status and schedule of work ---- I apologize for the delay in accomplishing the overall work; however, Mr. Sunoo and others have been to the site on multiple occasions to further inspect, make field measurements and observations and release the rainwater to ensure proper containment and to enable a more careful evaluation and identification of containers and materials and conditions at the locations at the facility.

I again apologize for the slippage of some time to perform this work and I want you to know that efforts are continuing in progress to address each of the concerns and work items listed in you correspondence and to address the facility in accordance with our conversations. I am receiving additional information and will further revise this summary to confirm the conditions and work status. We can also address the consent agreement your referred to in conjunction with these efforts.

Thank you and I will contact you so we can discuss the status of this work and coordinate another site visit as you requested.

Thank you and please let me know.

John.

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"Practical legal/technical environmental solutions"

-----Original Message-----

From: Durden, Brian [<mailto:Brian.Durden@FloridaDEP.gov>]

Sent: Friday, August 09, 2019 8:28 AM

To: John J. McNally

Cc: Maher, Jim; Cosgrove, Pamela

Subject: RE: Montco Research Products - Janice Drive, Hollister , FL -

aerial photo/list of chemical product materials/location and status of work

I am a concerned with the apparent lack of any real progress for this site. This site represents a potential danger to the public and environment. To date I have not received an identification and removal plan for the waste material located on the property. I have received no disposal receipts, no

indication that any of the interim requested corrective actions sent to you and your client on July 3, 2019, have been implemented, and no indication that the your client is complying with the August 16, 2013, Consent Final Judgement.

Please let me know if someone can be made available for a follow-up site inspection of this facility.

-----Original Message-----

From: John J. McNally <john@mcnallylawpa.com>

Sent: Thursday, August 8, 2019 8:17 PM

To: Durden, Brian <Brian.Durden@FloridaDEP.gov>; Neeley, Michelle <Michelle.Neeley@dep.state.fl.us>

Cc: Holmes, Michael P <Michael.P.Holmes@FloridaDEP.gov>; Maher, Jim <Jim.Maher@dep.state.fl.us>; Cosgrove, Pamela <Pamela.Cosgrove@FloridaDEP.gov>

Subject: RE: Montco Research Products - Janice Drive, Hollister , FL - aerial photo/list of chemical product materials/location and status of work

Brian/all - I have remained in communication with Mr. Sunoo concerning continuing efforts to more completely define the containers and products that exist at the facility and undertake actions to evaluate, characterize and dispose of materials and wastes present at the facility. Mr. Sunoo has been to the site several times recently with an individual that previously worked at the facility. He has assisted in further evaluating the products at the facility and characterization of the contained rainwater and products at the facility.

They have further clarified the information in conjunction with the aerial photo and inventory which has been provided to you. I am in the process of summarizing the information to further clarify the status and conditions at the facility, results of inspection observations and measurement to evaluate the rainwater as we discussed, and a description of the actions that have been taken and those that will be taken and the schedule for performance of this work. I am summarizing this information and I will provide this to you tomorrow to clarify the efforts that have been made and description and schedule of the actions that will be taken. I would like to review this information with you so we can coordinate these efforts at Montco and on behalf of Mr. Sunoo.

Please let me know and we can discuss and coordinate the work to resolve this situation.

Thank you.

John.

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-----Original Message-----

From: John J. McNally [<mailto:john@mcnallylawpa.com>]
Sent: Wednesday, July 31, 2019 2:06 PM
To: 'Durden, Brian'; 'Neeley, Michelle'
Cc: 'Holmes, Michael P'; 'Maher, Jim'; 'Cosgrove, Pamela'
Subject: RE: Montco Research Products - Janice Drive, Hollister , FL -
aerial photo/list of chemical product materials and location

Brian/all - I have been addressing with Mr. Sunoo and we have additional information to characterize and address the rainwater in the containment areas.

We also have further clarification about the identification of the other chemical products and waste as well. we have also been in contact with chemical/waste disposal companies and coordinating site work and plan/schedule to address in accordance with our conversations. Please let me know any questions and we can discuss the status and schedule of this work.

Thank you and we will accomplish this work.

John

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-----Original Message-----

From: Durden, Brian [<mailto:Brian.Durden@FloridaDEP.gov>]
Sent: Tuesday, July 30, 2019 2:33 PM
To: John J. McNally; Neeley, Michelle
Cc: Holmes, Michael P; Maher, Jim; Cosgrove, Pamela
Subject: RE: Montco Research Products - Janice Drive, Hollister , FL -
aerial photo/list of chemical product materials and location

Do you have any information regarding your clients determination of the liquid contained in the secondary containment?

Do you have a schedule/plan for waste identification and removal from the property or an estimated time to complete the plan?

-----Original Message-----

From: John J. McNally <john@mcnallylawpa.com>
Sent: Tuesday, July 30, 2019 12:43 PM

To: Durden, Brian <Brian.Durden@FloridaDEP.gov>; Neeley, Michelle <Michelle.Neeley@dep.state.fl.us>
Cc: Holmes, Michael P <Michael.P.Holmes@FloridaDEP.gov>
Subject: RE: Montco Research Products - Janice Drive, Hollister , FL - aerial photo/list of chemical product materials and location

Brian/all - I have been in contact with Mr. Sunoo concerning efforts at the site to further confirm the materials and inspect and test the rain water and address the situation in accordance with our conversations. He has been to the site along with another former worker at the facility in order to address the action items listed below as we have discussed.

I have also been in contact with both waste disposal companies and entities involved in the brokering of chemical products for reuse. I am presently addressing both of these actions to address the materials at the facility.

Please let me know any questions and I will provide you with an update concerning the status of these efforts to address this site.

Thank you.

John.

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-----Original Message-----

From: John J. McNally [<mailto:john@mcnallylawpa.com>]

Sent: Wednesday, July 17, 2019 4:32 PM

To: 'Durden, Brian'; 'Neeley, Michelle'

Cc: 'Holmes, Michael P'

Subject: RE: Montco Research Products - Janice Drive, Hollister , FL - aerial photo/list of chemical product materials and location

Brian/all - as you are aware, I have provided FDEP with information describing the history of past facility operations and environmental remediation, as well as efforts to address the facility reconstruction since the fire incident last year. I had forwarded the message to you concerning the site information and summary as we have discussed and addressed in conjunction with the site meeting with the FDEP a couple of weeks ago with Han Sunoo. As we have discussed, we fully appreciate that it is very important to further inspect the conditions and identify the chemical products and materials that exist at the facility so we can clarify and make arrangements to address the facility and arrange for the disposition of the products and materials. I have also made efforts to identify the company that had been taking the waste from the facility so we can be prepared to have any material removed as soon as possible.

I have followed up with Han Sunoo concerning the subjects we have discussed and the actions that need to be taken and he has visited the site several times with former employees to enable this work. I have summarized some of the most significant action items and work tasks that I think are critical to address the site immediately in accordance with the FDEP requirements and avoid unnecessary regulatory enforcement and costs. In particular, based on our conversation following the call with you and other the FDEP representatives after the site meeting, efforts are in progress to address each of the items in order of priority to address this work with the FDEP. The actions are described below:

- Clarify the contents of the drums in the various areas at the site
-----this was performed by a consulting firm to create and inventory and location plan.
- Evaluate the water contained within the berm in the caustic soda location. In accordance with our conversations, pH testing of the water has been performed to determine acceptability for discharge.
- Evaluate the drums that are expanded to determine the contents and requirements for proper disposal -- inspection has been performed during site visit with former employee to clarify.
- Test the pH of the water contained within the containment berms at the facility and the contents in the containers within the berm for characterization - this has been further clarified during recent site visits with former employee.
- Consider options for return/transfer of the drums of chemicals present at the site for proper disposition - efforts have been made to contact companies for acceptance of chemicals or disposal.
- Contact disposal company that has performed work at the facility and is familiar with the materials and wastes at the facility --efforts have been made and are in progress.
- Prepare action plan for transmittal to FDEP within the next week to list each of these actions and the status and schedule of work.

Please contact me so we can further discuss and coordinate each of these actions at the site.

I will call or please call me to discuss the status.

Thanks.

John.

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-----Original Message-----

From: John J. McNally [<mailto:john@mcnallylawpa.com>]

Sent: Monday, July 15, 2019 3:47 PM

To: 'Durden, Brian'; 'Neeley, Michelle'

Cc: 'Han Sunoco'; 'Holmes, Michael P'

Subject: RE: Montco Research Products - Janice Drive, Hollister, FL -

aerial photo/list of chemical product materials and location

Brian/all - I had intended to contacting you after we spoke following your site visit. I made notes of what you had discussed and I have remained in communication Han Sunoo concerning the status of the site and the FDEP comments and requirements in order to address the situation in a reasonable and practical manner in satisfying the requirements.. I have prepared a summary of these actions for Montco and Han has been to the facility to further evaluate and clarify the liquids and containers and disposal as we had discussed. I can provide you with a list of the actions and schedule this week as we had discussed to demonstrate the planned work and schedule since last week.

I am contacting Han concerning the status of his efforts and will contact you to inform you of the work status and schedule for additional implementation.

Please let me know and we can discuss further and coordinate performance of this work with FDEP.

Thank you.

John.

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-----Original Message-----

From: Durden, Brian [<mailto:Brian.Durden@FloridaDEP.gov>]

Sent: Wednesday, July 03, 2019 11:43 AM

To: John J. McNally; Neeley, Michelle

Cc: Han Sunoco; Holmes, Michael P

Subject: RE: Montco Research Products - Janice Drive, Hollister , FL -
aerial photo/list of chemical product materials and location

Thank you for the email including detailed site map and approximate materials located on site. Based on the observations made during the July 2, 2019, site visit to following recommendations are offered. See attached word document.

I look forward to chatting with regards to my comments if you have any questions.

Brian Durden

Florida Department of Environmental Protection Northeast District/Permitting
Program Environmental Manager

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-----Original Message-----

From: John J. McNally <john@mcnallylawpa.com>
Sent: Monday, July 1, 2019 8:20 PM
To: Durden, Brian <Brian.Durden@FloridaDEP.gov>; Neeley, Michelle <Michelle.Neeley@dep.state.fl.us>
Cc: Han Sunoco <hsunoo@comcast.net>
Subject: FW: Montco Research Products - Janice Drive, Hollister , FL - aerial photo/list of chemical product materials and location

Brian/Michelle/HanI am providing this information so you are connected with my client, Han Sunoo, and connected by phone to coordinate the site visit tomorrow morning at 10am. His phone number is 386-372-5009 and I have included Han in this email so we are all connected....Brian can you provide a cell phone for us to reach you.

Han...I know we have confirmed the site meeting for tomorrow morning and please confirm that 10 am is good for you.

Attached is an aerial photo/figure with site areas, and list of chemical materials.

We can review and discuss and further clarify the site information as discussed for purposes of disposition of products and disposal of waste solution.

We are also contacting the disposal company that has routinely taken the caustic solution in the past so we can address as soon as possible.

Please let me know any questions...and please coordinate/confirm site meeting time.....and we can discuss tomorrow even when you are at the site. Thank you again and look forward to addressing the site together.

Thanks.

John.

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